

WORKMAN NYDEGGER

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
(801) 533-9800
FAX (801) 328-1707

RECEIVED
CENTRAL FAX CENTER
SEP 16 2004

FACSIMILE COVER PAGE

To: Examiner Caridad Everhart — UNITED STATES PATENT AND TRADEMARK OFFICE

Fax No.: (703) 872-9306

No. of Pages: 23 (incl. this page)

From: Kevin W. Stinger

Date: September 16, 2004

File No./Subject: **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Patent Application

Serial No.: 10/694,433

Filing Date: October 27, 2003

Title: PROCESS FOR IMPROVING YIELD OF DFB LASERS

Our File: 15436.247.7.1

PRIVILEGED AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL, INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (801) 533-9800
AS SOON AS POSSIBLE

FAX OPERATOR: _____	TIME SENT: _____	A.M./P.M. _____	CONFIRMED _____	A.M./P.M. _____
UNABLE TO SEND: _____	Incorrect telephone number _____	UNABLE TO CONFIRM: _____	No telephone number _____	
	No answer _____		After hours _____	
			No answer _____	

VIA FACSIMILE (703) 872-9306

PATENT APPLICATION
Docket No. 15436.247.7.1

In re application of

Sumesh Mani K. Thiyagarajan

Serial No.:

10/694,433

Filed:

October 27, 2003

For:

PROCESS FOR IMPROVING YIELD OF DFB LASERS

Confirmation No.:

8936

Examiner:

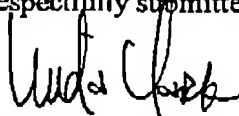
Caridad Everhart

)
)
)
)
) Art Unit
) 2825
)
)
)
)
)
)CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being filed with the U.S. Patent and Trademark Office via facsimile to Attn: Caridad Everhart, Examiner U.S. Patent and Trademark Office, facsimile number: (703) 872-9306 this 16 day of September, 2004:

- Transmittal Letter for Response to Notice of Non-Compliant Amendment and Amendment and Response to First Office Action (2 pgs.) (in duplicate)
- Response to Notice of Non-Compliant Amendment (1 page)
- Amendment and Response to First Office Action (16 pages)

Respectfully submitted,



Linda Clark, Assistant to
Kevin W. Stinger
Attorney for Applicants
Registration No. 48,959
Customer No. 022913
Telephone No. (801) 533-9800

KWS/rnc
LC0000001604V001

RICK D. NYDEGGER
BRENT P. LUKUMIER
THOMAS R. VUKSINICK
LARRY R. LAYMAN
JONATHAN W. RICHARDS
DAVID R. WALKITT
JOHN C. STRINGHAM
JOHN M. GRANN
CHARLES L. ROBERTS
DANA L. TANGREN
ERIC L. MASCHOFF
CHARLES J. VEVEKKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE
STERLING A. BRENNAN
R. BURNS ISRAELSEN
DAVID R. TODD
GREGORY M. TAYLOR
DAVID B. DEJENBACH
L. DAVID GRIFIN
ADRIAN J. LER
FRASER D. ROY
CARL T. REED

WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 533-9800
FAX: (801) 328-1707
WEBSITE: HTTP://WWW.WNLAW.COM

VIA FACSIMILE (703) 872-9306

PATENT APPLICATION
Docket No. 15436.247.7.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of

Sumesh Mami K. Tiyagarajan

Serial No.: 10/694,433

) Art Unit
) 2825

Filed: October 27, 2003

Conf No.: 8936

For: PROCESS FOR IMPROVING YIELD OF DFB LASERS

Examiner: Caridad Everhart

VIA FACIMILE (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL FOR RESPONSE TO NOTICE FOR NON-COMPLIANT
AMENDMENT AND AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION**

Sir:

Transmitted herewith is a **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT** and the **AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION**, which was originally submitted by facsimile on August 11, 2004, for entry in the above-identified application, along with:

- ☒ A Certificate of Facsimile Transmission Under 37 C.F.R. § 1.6.
☐ A Certificate of Deposit Under 37 C.F.R. § 1.8.
☐ A Certificate of Deposit Under 37 C.F.R. § 1.10.

R. PARISH FREYMAN, JR.
PETER F. MALEN, JR.
L. REX SEARS, PH.D.
WILLIAM R. RICHTER
ERIC M. KAMERWITZ
ROBERT E. AYCOCK
JENS C. JENKINS
KEVIN W. SYNGER
WILLIAM J. AUSTIN
MICHAEL B. DODD
RYAN D. BENSON
SARA D. JONES
TICE KELLER
JANNA L. JOHNSON
MATTHEW D. TODD
J. LAYMAN
MICHAEL J. PROSSER
JOSEPH L. KRUPA
BRETT A. HANSEN
BRETT I. JOHNSON
MATTHEW A. BARLOW
WESLEY C. RUSANILUK
ANDREW S. HANSEN
CHAD E. NYDEGGER
JOSEPH G. PA
CLINTON E. DUKE
DAVID J. LORINE
RYAN N. PARK
JAMIE B. BELSHI

September 16, 2004
10/694,433
Page 2

☒ No additional fee is required.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

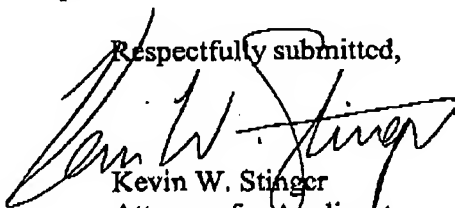
☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ A duplicate copy of this transmittal letter is attached.

Dated this 16th day of September, 2004.

Respectfully submitted,



Kevin W. Stinger
Attorney for Applicant
Registration No. 48,959
Customer No. 022913
Telephone No. (801) 533-9800

KWS/lrc
LC0000001604V001

RICK D. NYDEGGER
BRENT E. LORIMER
THOMAS R. VUKSINICH
LARRY R. LAYCHICK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STUNGHAM
JOHN M. GUNN
CHARLES L. ROBERTS
DANA L. TANCLEN
ERIC L. MASCHOFF
CHARLES J. VEVEKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE
STERLING A. BAERNAN
R. BURNS ISRAFIEN
DAVID R. TODD
GREGORY M. TAYLOR
DAVID B. DELLINBACH
L. DAVID GRIFFIN
ADRIAN J. LEE
FRASER D. ROY
CARL T. REED

WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 533-9800
FAX: (801) 328-1707
WEBSITE: HTTP://WWW.WNLAW.COM

COPY

VIA FACSIMILE (703) 872-9306

PATENT APPLICATION
Docket No. 15436.247.7.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Sumesh Mani K. Tiyyagarajan

Serial No.: 10/694,433

) Art Unit
) 2825

Filed: October 27, 2003

Conf No.: 8936

For: PROCESS FOR IMPROVING YIELD OF DFB LASERS

Examiner: Caridad Everhart

VIA FACIMILE (703) 872-9306

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL FOR RESPONSE TO NOTICE FOR NON-COMPLIANT AMENDMENT AND AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

Sir:

Transmitted herewith is a RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT and the AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION, which was originally submitted by facsimile on August 11, 2004, for entry in the above-identified application, along with:

- ☒ A Certificate of Facsimile Transmission Under 37 C.F.R. § 1.6.
☐ A Certificate of Deposit Under 37 C.F.R. § 1.8.
☐ A Certificate of Deposit Under 37 C.F.R. § 1.10.

September 16, 2004
10/694,433
Page 2

☒ No additional fee is required.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

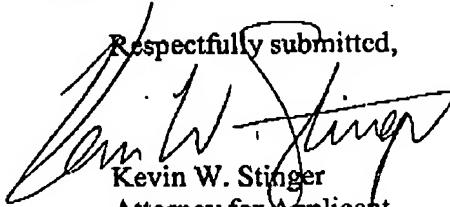
☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ A duplicate copy of this transmittal letter is attached.

Dated this 16th day of September, 2004.

Respectfully submitted,



Kevin W. Stinger
Attorney for Applicant
Registration No. 48,959
Customer No. 022913
Telephone No. (801) 533-9800

KWS/lrc
LC0000001604V001

Application No. 10/694,433

Response to Notice of Non-Compliant Amendment mailed August 25, 2004

PATENT APPLICATION
Docket No. 15436.247.7.1

In re application of

Sumesh Mani K. Thiyagarajan

Serial No.: 10/694,433

Filed: **October 27, 2003**

For: **PROCESS FOR IMPROVING YIELD OF DFB LASERS)**

Confirmation No.: 8936

Examiner: Caridad Everhart

RECEIVED
CENTRAL FAX CENTER
SEP 16 2004

) Art Unit
) 2825

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT


VIA FACSIMILE (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is in response to a Notice of Non-Compliant Amendment mailed August 25, 2004 (the "Notice"). Reconsideration of entry of the Amendment and Response to First Office Action (the "Amendment") submitted on August 11, 2004 is respectfully requested in view of the correction of the error noted in the Notice and resubmission thereof.

Dated this 16th day of September, 2004.

Respectfully submitted,

Respectfully submitted,

Kevin W. Stinger
Attorney for Applicant
Registration No. 48,959
Customer No. 022913
Telephone No. (801) 533-9800

KWS/lrc
LC0000001605V001

Application No. 10/694,433
Amendment and Response to First Office Action mailed June 25, 2004

RECEIVED
CENTRAL FAX CENTER

SEP 16 2004

PATENT APPLICATION
Docket No. 15436.247.7.1

In re application of

Sumesh Mani K. Thiyagarajan

Serial No.: 10/694,433

Filed: October 27, 2003

For: PROCESS FOR IMPROVING YIELD OF DFB LASERS

Confirmation No.: 8936

Examiner: Caridad Everhart

) Art Unit
) 2825

AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

VIA FACSIMILE (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is in response to Examiner's Office Action mailed June 25, 2004 (the "Office Action"). Reconsideration is respectfully requested in view of the following amendments and remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks/Arguments begin on page 11 of this paper.